

**REMARKS*****Summary of the Amendment***

Upon entry of the instant amendment, claims 11 and 14 will have been amended. Accordingly, claims 1 – 9, 11 – 16, 18, and 21 – 38 currently remain pending. However, as pending claims 2 and 38, directed to the non-elected invention, and claims 16, 23 – 33 and 35 – 37, directed to the non-elected species, have been withdrawn from consideration, only claims 1, 3 – 9, 11 – 15, 18, 21, and 22 are currently under consideration by the Examiner.

***Summary of the Official Action***

In the instant Office Action, the Examiner has withdrawn the allowance of independent claim 21 and has objected to the specification and rejected claims 1, 3 – 15, 17 – 22, and 34 based upon formal matters and over the art of record. By the present amendment and remarks, Applicant submits the rejections have been overcome, and respectfully requests reconsideration of the outstanding Office Action and allowance of the present application.

***Traversal of Objection to Specification***

Applicant traverses the Examiner's objection to the specification under 37 C.F.R. 1.75(d)(1) as failing to provide antecedent basis for the claimed subject matter. In particular, the Examiner asserts the specification fails to provide sufficient support for the feature in claim 21 the support is composed of an elastomer material. Applicant traverses the Examiner's assertion.

Applicant initially notes, as the above-noted feature was recited in original claim 21, this feature is disclosed in the original specification. Moreover, the Examiner's attention is directed to paragraph [0047], which likewise provides express support for the objected recitation in claim 21.

Moreover, in an effort to avoid any confusion, by the present amendment, Applicant has

amended paragraph [0080] to provide express support in the detailed description of the invention section. As noted above, support for this amendment is found in paragraph [0047] and original claim 21.

Accordingly, reconsideration and withdrawal of this objection to the specification is respectfully requested.

***Claim Objection is Moot***

By the present amendment, claim 16 has been provided with a status identifier of "Withdrawn," such that the Examiner's objection is now moot.

***Traversal of Rejection Under 35 U.S.C. § 112, First Paragraph***

Applicant traverses the formal rejection of claims 1, 3 – 9, 11 – 16, 18, 21, 22, and 34 under 35 U.S.C. § 112, first paragraph, as failing to be enabling for at least one support composed of an elastomer material.

As discussed above with regard to the objection to the specification, Applicant submits the original disclosure provides adequate support for the recitation in claim 21 of at least one support composed of an elastomer material, and that one ordinarily skilled in the art reviewing Applicant's disclosure would be readily able to make and/or use the instant invention.

Accordingly, Applicant submits the instant specification is enabling under 35 U.S.C. § 112, first paragraph, and respectfully requests the Examiner reconsider and withdraw the pending rejection in the next official communication to the undersigned.

***Rejection Under 35 U.S.C. § 112, Second Paragraph, is Moot***

Applicant submits, by the present amendment to claims 11 and 14, the rejection under 35 U.S.C. § 112, second paragraph, is now moot. In this regard, claims 11 and 14 have been amended to provide adequate antecedent basis for the terms recited therein.

Accordingly, reconsideration and withdrawal of this rejection and an indication the claims are fully in compliance with the requirements of 35 U.S.C. § 112, second paragraph, is respectfully requested.

***Traversal of Rejection Under 35 U.S.C. § 103(a)***

***1. Over Chrigui in view of Gassen***

Applicant traverses the rejection of claims 1, 3 – 7, 11 – 15, 18, 21, 22 and 34 under 35 U.S.C. § 103(a) as being unpatentable over CHRIGUI (U.S. Patent No. 5,595,117) in view of GASSEN et al. (U.S. Patent No. 6,312,340) [hereinafter “GASSEN”]. The Examiner asserts CHRIGUI shows the recited features except for at least one support composed of an elastomer material. However, the Examiner asserts it would have been obvious to modify CHRIGUI to include such a support in view of the disclosure of GASSEN. Applicant traverses the Examiner’s assertions.

Applicant’s independent claim 21 recites, *inter alia*, an absorber arrangement comprising *at least one passive vibration absorber* located within the interior space, a *damper arrangement positioned between said vibration absorber and said roll jacket*, a *spring arrangement combined with said damper arrangement to support said vibration absorber in said roll jacket*, and *at least one support composed of an elastomer material*, wherein said vibration absorber is supported on said roll jacket via said at least one support. Applicant submits no proper combination of the applied art renders unpatentable at least the above-noted combination of features.

As disclosed by CHRIGUI, the dynamic damper 6 is composed of a tube 13, compressible material 12, and a mass-forming element 7. CHRIGUI, Column 5, lines 27 – 30. Moreover, as tube 13 is securely fixed in the cylinder, Applicant submits, notwithstanding the disclosure of GASSEN, there is no articulable suggestion in the art of record to modify

CHRIGUI to include *at least one support composed of an elastomer material*, wherein said vibration absorber is supported on said roll jacket via said at least one support, as recited in at least independent claim 21.

Moreover, Applicant submits the Examiner's asserted combination of CHRIGUI and GASSEN is contrary to the express teaching of CHRIGUI that the dynamic damper is directly secured to the cylinder, i.e., without any supporting elements. Thus, Applicant submits no proper combination of the applied art can render the instant invention obvious.

Further, while acknowledging GASSEN discloses an elastic coupling element 6 to hold a damping mass 4 within a tube 8, this document fails to provide any teaching for modifying CHRIGUI, against its own express disclosure, to utilize an elastic support to support the mass to the tube, as suggested by GASSEN. Further, while disclosing elastically supporting a mass, Applicant submits GASSEN provides no arguable disclosure of elastically supporting a *vibration absorber located within the interior space, a damper arrangement positioned between the vibration absorber and the roll jacket, and a spring arrangement combined with the damper arrangement to support said vibration absorber in the roll jacket*, as recited in at least independent claim 21. Accordingly, Applicant submits this document fails to provide any suggestion for modifying CHRIGUI, particularly since such a modification is contrary to the express disclosure of CHRIGUI.

In view of the foregoing, Applicant submits no proper combination of CHRIGUI and GASSEN can even arguably render unpatentable the combination of features recited in at least independent claim 21. Accordingly, reconsideration and withdrawal of this rejection is proper.

Moreover, with regard to the Examiner's comments regard claims 5 and 6 is incorrect. In this regard, Applicants note the Examiner has not identified any specific protocols or testing

procedures employed by those ordinarily skilled in the art to show that the disclosure of CHRIGUI would lead one ordinarily skilled in the art to the mass recited in claims 5 and 6. Moreover, Applicant notes neither CHRIGUI nor GASSEN have disclosed procedures or protocols associated with improving and/or optimizing performance of the dynamic damper of CHRIGUI.

Thus, Applicant submits, as the Examiner cannot arguably support his assertion the features of claims 5 and 6 would have been rendered obvious, this rejection must be withdrawn.

Further, Applicant submits that claims 1, 3 – 7, 11 – 15, 18, 22, and 34 are allowable at least for the reason that these claims depend from allowable base claims and because these claims recite additional features that further define the present invention. In particular, Applicant submits that no proper combination of CHRIGUI in view of GASSEN arguably renders unpatentable the combination of features recited in at least claims 1, 3 – 7, 11 – 15, 18, 22, and 34.

Accordingly, Applicant respectfully requests reconsideration and withdrawal of the rejection of claims 1, 3 – 7, 11 – 15, 18, 21, 22, and 34 under 35 U.S.C. § 103(a) and an indication these claims are allowable.

2. Over Chrighui in view of Gassen and further in view of Kayser

Applicant traverses the rejection of claims 8 and 9 under 35 U.S.C. § 103(a) as being unpatentable over CHRIGUI in view of GASSEN and further in view of KAYSER et al. (U.S. Patent No. 6,464,834) [hereinafter “KAYSER”]. While acknowledging CHRIGUI/GASSEN do not disclose a plurality of absorbers, the Examiner asserts it would have been obvious to modify CHRIGUI/GASSEN to include a plurality of absorbers, as taught by KAYSER. Applicant traverses the Examiner’s assertions.

Applicant notes, like CHRIGUI and GASSEN, KAYSER does not provide any teaching or suggestion of a support element composed of an elastomer material to support the vibration absorber on the roll jacket, as recited in at least independent claim 21. Moreover, Applicant notes, like GASSEN, KAYSER fails to provide articulable reasons for modifying CHRIGUI in a manner contrary to the express disclosure of CHRIGUI.

Because none of the applied documents provide any information to suggest modifying CHRIGUI to include a support element composed of an elastomer material to support the vibration absorber on the roll jacket, particularly since such a modification would be against the express teaching of CHRIGUI, Applicants submit no proper combination of CHRIGUI, GASSEN, and KAYSER can even arguably render unpatentable the instant invention as recited in at least independent claim 21.

Further, Applicant submits that claims 8 and 9 are allowable at least for the reason that these claims depend from allowable base claims and because these claims recite additional features that further define the present invention. In particular, Applicant submits that no proper combination of CHRIGUI in view of GASSEN arguably renders unpatentable the combination of features recited in at least claims 8 and 9.

Accordingly, Applicant respectfully requests reconsideration and withdrawal of the rejection of claims 8 and 9 under 35 U.S.C. § 103(a) and an indication these claims are allowable.

#### ***Request for Rejoinder of Withdrawn Claims***

As discussed above, as independent claim 21 has been allowed by the Examiner, and as this claim is likewise generic to each identified species, Applicant requests the Examiner rejoin withdrawn claims 16, 23 – 33 and 35 – 37, directed to the non-elected species, consider the

merits of the same, and indicate their allowability in the next official action.

As Species A – J identified by the Examiner in the restriction requirement are directed to specific vibration absorber arrangements depicted in Figures 2 – 10 of the instant application, and allowed independent claim 21 recites a generic vibration absorber, withdrawn claims 16, 23 – 33 and 35 – 37, which have been amended to depend from allowable subject matter in claim 21, should be rejoined and considered in accordance with 37 C.F.R. 1.141. Therefore, rejoinder of claims 16, 23 – 33, and 35 – 37 directed to the withdrawn species is proper and respectfully requested.

Moreover, as claims 2 and 38, directed to the non-elected invention, depends from allowable claim 1, Applicant submits these claims should likewise be rejoined, considered on their merits, and indicated as allowable in the next action. That is, claims 2 and 38 have been amended to properly depend from allowable independent claim 21, which likewise renders claims 2 and 38 allowable. Therefore, rejoinder of claims 2 and 38 is appropriate and respectfully requested.

Accordingly, Applicant rejoinder, consideration and allowance of currently withdrawn claims 2, 16, 23 – 33, and 35 – 38 is respectfully requested.

***Application is Allowable***

Thus, Applicants respectfully submit that each and every pending claim of the present invention meets the requirements for patentability under 35 U.S.C. §§ 102 and 103, and respectfully request the Examiner to indicate allowance of each and every pending claim of the present invention.

***Authorization to Charge Deposit Account***

The undersigned authorizes the charging of any necessary fees, including any extensions

of time fees required to place the application in condition for allowance by Examiner's Amendment, to Deposit Account No. 19 - 0089 in order to maintain pendency of this application.

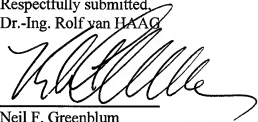
**CONCLUSION**

In view of the foregoing, it is submitted that none of the references of record, either taken alone or in any proper combination thereof, anticipate or render obvious the Applicants' invention, as recited in each of claims 1, 3 - 9, 11 - 15, 18, 21, 22, and 34 (and more particularly in each of claims 1 - 9, 11 - 16, 18, and 21 - 38).

Further, any amendments to the claims which have been made in this response and which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

Accordingly, reconsideration of the outstanding Office Action and allowance of the present application and all the claims therein are respectfully requested and now believed to be appropriate.

Respectfully submitted,  
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